

was alleged to be misbranded further in that the statement on the tube, "Kills germs," was false and misleading since it was not a germicide.

The Glandeen was alleged to be misbranded in that it was falsely and fraudulently represented to be effective to augment or to restore human courage; to act as a "powerful strength invigorator"; to so effect the glands of the human organism as to restore lost vitality or lost manhood; to rehabilitate the human body when in a run-down condition.

The San-I-Gene Sanitary Antiseptic Douche Powder was alleged to be misbranded in that it was falsely and fraudulently represented to be effective to heal and to protect the female sexual organs safely, harmlessly, and dependably; to maintain health; to enable one to get well when not well and to cause users to be healthy, peppy, and full of life. It was alleged to be misbranded further in that the statements on the jar and in the circular, "Antiseptic Douche Powder. Dissolve from one to two teaspoonfuls in a quart or more of warm water," were false and misleading since it was not an antiseptic.

The Bewino Beef Wine and Iron Tonic was alleged to be misbranded in that it was falsely and fraudulently represented to be effective to tone and renew and strengthen the human body; to restore sickly, run-down puny people to normal health and vigor; to impart pep and energy; to aid digestion; to cause one to be sensible to its efficacy in these several respects after taking the very first dose of the article; to impart to the blood its essential elements and to purify the blood. It was alleged to be misbranded further in that it contained alcohol and its package failed to bear on the label a statement of the quantity or proportion of alcohol contained in the article.

On March 19, 1938, the defendants entered pleas of guilty and the corporation was sentenced to pay \$308 and the individual defendants were each sentenced to pay \$146, a total of \$600, which sums were in lieu of fines and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28312. Adulteration of potassium arsenite tablets and misbranding of atropine sulphate tablets. U. S. v. Direct Sales Co. Plea of guilty. Fine, \$300. (F. & D. No. 38599. Sample Nos. 67717-B, 5711-C.)

This case involved atropine sulphate tablets which contained an excess of atropine sulphate, and potassium arsenite tablets which were deficient in potassium arsenite.

On January 11, 1937, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Direct Sales Co., a corporation, Buffalo, N. Y., alleging shipment by said company in violation of the Food and Drugs Act, on or about April 13 and June 13, 1936, from the State of New York into the States of Pennsylvania and Illinois of quantities of atropine sulphate tablets and potassium arsenite tablets, respectively, of which the former was misbranded and the latter was adulterated. The articles were labeled: "Hypodermic Tablets Atropine Sulphate 1/120 Grain;" "Potassium Arsenite (Fowler's Solution) 5 minims." Both were labeled further: "Manufactured by Direct Sales Co., Inc., N. Y."

The potassium arsenite tablets were alleged to be adulterated in that their strength fell below the professed standard under which they were sold in that they were labeled, "Tablets Potassium Arsenite (Fowler's Solution) 5 minims C T," whereas they contained potassium arsenite equivalent to less than 5 minims of Fowler's solution each, namely, 3.7 minims of Fowler's solution per tablet.

The atropine sulphate tablets were alleged to be misbranded in that the statements "Hypodermic Tablets Atropine Sulphate 1/120 Grain" were false and misleading since they represented that each of the tablets contained 1/120 grain of atropine sulphate, whereas they contained more than so represented, namely, not less than 0.0099 grain, i. e., approximately 1/100 grain of atropine sulphate per tablet.

On December 6, 1937, a plea of guilty was entered on behalf of the defendant and on December 16 a fine of \$300 was imposed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28313. Adulteration of scopolamine hydrobromide tablets and tincture of aconite root. U. S. v. Direct Sales Co., Inc. Plea of guilty. Fine, \$300. (F. & D. No. 37926. Sample Nos. 51954-B, 54036-B.)

This case involved tablets which contained scopolamine hydrobromide in excess of the amount declared, and tincture of aconite root which had a potency of approximately one-fifth of that required by the United States Pharmacopoeia.

On August 24, 1936, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Direct Sales Co., Inc., Buffalo, N. Y., alleging shipment by said company in violation of the Food and Drugs Act on or about October 21 and November 14, 1935, from the State of New York into the State of Pennsylvania of quantities of scopolamine hydrobromide tablets and tincture aconite root that were adulterated. The articles were labeled: "Tablets Scopolamine H br. 1/100 gr. [or "Tincture Aconite Root U. S. P."] manufactured by Direct Sales Co., Inc., Buffalo, N. Y."

The tablets were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold in that each tablet was represented to contain 1/100 grain of scopolamine hydrobromide; whereas each of the said tablets contained more than represented, namely, not less than 0.0116 grain of scopolamine hydrobromide.

The tincture of aconite root was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down therein, since when administered subcutaneously to guinea pigs, it had a minimum lethal dose of not less than 0.00225 cubic centimeter for each gram of body weight of guinea pig; whereas the pharmacopoeia provides that tincture of aconite when administered subcutaneously to guinea pigs, shall have a minimum lethal dose of not more than 0.00045 cubic centimeter for each gram of body weight of guinea pig, and its own standard of strength, quality, and purity was not declared on the container. It was alleged to be adulterated further in that its strength and purity fell below the professed standard and quality under which it was sold, since it was represented to be tincture of aconite root which conformed to the standard laid down in the United States Pharmacopoeia; whereas it did not conform to said standard.

On December 6, 1937, a plea of guilty was entered on behalf of the defendant and on December 16, 1937, a fine of \$300 was imposed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28314. Misbranding of Organic Sea Food. U. S. v. Joseph V. Wachter. Plea of guilty. Fine, \$25. (F. & D. No. 38622. Sample No. 49334-B.)

The label on this product contained false and fraudulent representations regarding its curative or therapeutic effects.

On March 23, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Joseph V. Wachter, San Francisco, Calif., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about December 13, 1935, from the State of California into the State of Nebraska of a quantity of Organic Sea Food that was misbranded. It was labeled in part: "Manufactured by Organic Sea Products Corp. St. Paul Building San Francisco California."

Analysis showed that the article consisted essentially of coarsely ground seaweed with a very small amount of agar.

It was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic or curative effects, borne on the package label and contained in a circular, falsely and fraudulently represented that it was effective to give vitality and to eliminate poisons and diseases; effective as a treatment, remedy, and cure for deficiency diseases and diseases such as rheumatism, asthma, goiter, overweight, stomach trouble, neuritis, anemia, nervous disorders, and other glandular deficiency diseases; effective as a treatment for tubercular ailments, infections, poor endurance, erratic personality, bone diseases, premature age, catarrh, stiff joints, deafness, acidity, many distressing diseases, stiffening of the bones and arteries and falling hair; effective to prevent neurasthenia, fatigue, pyorrhea, excessive fat, auto-intoxication, goiter, insanity, baldness and wrinkles; effective to eliminate fat; effective to give will, long life, and red blood, to brighten eyesight and complexion, to prevent tuberculosis, to preserve youth, to protect against infections, bone diseases, and fear; effective to relieve pain, to prevent catarrh, deafness, hardening processes, and moodiness, effective to give warmth, magnetism, mental endurance, creative ability, and vitality, to beautify, to inspire, to make glossy hair, to arrest disease and to throw out bodily impurities; effective as a treatment, remedy, and cure for chronic constipation, dull headaches, colds, run-down condition, sluggish mentality, constant tired feeling,